PRESERVED

App. F. IX-4

1940
193 .
( )

File No. 46 - 40

Serial Nos. 2

Previous References

Leg. 19 - 39 (17-18)

Leg. 36 - 38 (1-5)

Legis

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. one only

Part B for May 1941

SUBJECT.

Amendment to Registration of Foreigners (exemption) order 1939

WD 0573—GPB—22,500—12-9-39

C. G. Vajravami
7/5/41

Amendment to Registration of Foreigners (Exemption) order, 1939

General and Revenue Secretariat | File No. | of 194 | [App. F. III-2

Serial No.

From

The Secretary to the Hon'ble the Resident

C/7 61-40 (4) dated 26 April 1941

forwards Notification of Govt of India making certain amendments in Registration of Foreigners (Exemption) order, 1939.

Flag U

Under section 6 of the Registration of Foreigners (Emergency) Act, 1939 Government issued the Registration of Foreigners (Exemption) order, 1939, on the lines of a similar order made in British India.

Flag H.

Amendments made to the order from time to time in British India have been adopted in Mysore where suitable.

The Present notification of the Govt. of India makes some further amendments to the order.

If approved they will, as usual, be incorporated in the Mysore order.

Submitted with a draft for orders.

29.4.41

For approval

BKR 29.4.41

Law Secy

May be approved

I Member)

29/4/41

BKR 29.4.41

7SN/29/4

OFFICE OF THE FIRST MEMBER OF COUNCIL APR 29 1941 No. 1119

TYPING SECTION 1 MAY 1941 GEN. SECTT.

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1/5/41.

NOTE—Cough Sheet.

Memo P 5532: Legis 46-40-2 2.5.41 BKR 1.5.41

to Compiler.

6152-240
P

GOVERNMENT OF INDIA

Home Department

CS. (Law) MF 2614

NOTIFICATION.

Dated the 6th June 1940.

- - -

No.21/15/40. - In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Declarations published with the notification of the Government of India in the Home Department, No.21/32/39-Political, dated the 21st June 1939, namely:-

In declaration 3 of the said Declarations, after clause (d) the following clause shall be inserted, namely:-

"(dd) any French subject of non-Asiatic birth ordinarily resident in any of the French Settlements bounded by India;".

(Sd) C. J. W. Lillie,
Deputy Secretary to the Govt. of India.

Office of the Hon'ble the Resident in Mysore,

No.CF.61-40(4)

Dated Bangalore, the 26th Apr. 1941.

Copy forwarded with compliments to the Chief Secretary to the Government of His Highness the Maharaja of Mysore.

By order, etc.,

for SECRETARY TO THE RESIDENT.

No. P5532 Legis. 46-40-2 dt. 2.5.41

NOTIFICATION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1940 (V of 1940), the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Declarations published under Notification No.P.435-Legis.36-38-5 dated 21st July 1939, namely:-

In declaration 3 of the said Declarations, after clause (d), the following clause shall be inserted, namely,-

"(dd) any French subject of non-Asiatic birth ordinarily resident in ~~one~~ any of the French Settlements bounded by India;".

By Order,

29/4/41

Secretary to Government,
Law Department.

BKR 29.4.41

To

The Compiler for publication in Part IV of the Gazette.

No. P 5533 dt. 2-5-41

Copy to the I.G. of Police for information.

Legis 46-40-2

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. P 5532 General and Revenue Secretariat,

Dated Bangalore, 2nd May 1941

NOTIFICATION.

In exercise of the powers conferred by Section 6 of the Registration of Foreigners Act, 1940 (V of 1940), the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Declarations published under Notification No.P.435/Legis. 36-38-5 dated 21st July 1939, namely:-

In declaration 3 of the said Declarations, after clause (d), the following clause shall be inserted, namely,-

"(dd) any French subject of non-Asiatic birth ordinarily resident in any of the French Settlements bounded by India".

By Order,

Sd/- H. V. Narayana Rao,

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette.

Memo No. P 5533 & 2-5-41

Copy of the above is forwarded, with compliments, to the Inspector-General of Police in Mysore, for information.

By Order,

B K Ramakrishnaiya

For Secretary to Government,
Law Department.

SR/10

NOTIFICATION.

Order No. P. 5334—*Legis.* 42-39-1, *dated Bangalore the 6th February* 1940.

Ordered that the accompanying Act to provide for the Registration of Foreigners in Mysore which received the assent of His Highness the Maharaja, on the 30th day of January 1940, be published as Act V of 1940, in the *Mysore Gazette* for general information.

C. SUBRAHMANYA AIYAR,
Secretary to Government,
Law Department.

ACT No. V OF 1940.

The Registration of Foreigners Act, 1940.

An Act to provide for the Registration of Foreigners in Mysore.

(*Received the assent of His Highness the Maharaja, on the 30th day of January* 1940).

WHEREAS it is necessary to provide for the registration of foreigners entering, being present in, and departing from, Mysore;

It is hereby enacted as follows:—

Short title and extent.

1. (*1*) This Act may be called the Registration of Foreigners Act, 1940.

(*2*) It extends to the whole of Mysore.

Definitions.

2. In this Act—

(*a*) the word "foreigner" shall denote a person who is not—

(i) a subject of His Highness the Maharaja; or

(ii) a British subject domiciled in the United Kingdom; or

(iii) a British Indian subject; or

(iv) a ruler or subject of an Indian State; or

(v) a person duly appointed by a foreign government to exercise diplomatic functions; or

(vi) a consul or a vice-consul;

(*b*) "prescribed" means prescribed by rules made under this Act.

Power to make rules.

3. The Government may, by notification in the official Gazette, make rules with respect to foreigners for any or all of the following purposes, that is to say—

(*a*) for requiring any foreigner entering, or being present in, Mysore to report his presence to a prescribed authority within such time and in such manner and with such particulars as may be prescribed;

(*b*) for requiring any foreigner moving from one place to another place in Mysore to report, on arrival at such other place, his presence to a prescribed authority within such time and in such manner and with such particulars as may be prescribed;

(*c*) for requiring any foreigner who is about to leave Mysore to report the date of his intended departure and such other particulars as may be prescribed to such authority and within such period before departure as may be prescribed;

(*d*) for requiring any foreigner entering, being present in, or departing from, Mysore to produce, on demand by a prescribed authority, such proof of his identity as may be prescribed;

(*e*) for requiring any person having the management of any hotel, boarding-house, sarai or any other premises of like nature to report the name of any foreigner residing therein for whatever duration, to a prescribed authority within such time and in such manner and with such particulars as may be prescribed;

(*f*) for requiring any person having the management or control of any vessel or aircraft to furnish to a prescribed authority such information as may be prescribed regarding any foreigner entering, or intending to depart from, Mysore in such vessel or aircraft, and to furnish to such authority such assistance as

may be necessary or prescribed for giving effect to this Act;

(*g*) for providing for such other incidental or supplementary matters as may appear to the Government necessary or expedient for giving effect to this Act.

Burden of proof.

4. If any question arises with reference to this Act or any rule made thereunder, whether any person is or is not a foreigner, or is or is not a foreigner of a particular class or description, the onus of proving that such person is not a foreigner or is not a foreigner of such particular class or description, as the case may be, shall, notwithstanding anything contained in the Indian Evidence Act, 1872, as in force in Mysore, lie upon such person.

Penalties.

5. Any person who contravenes, or attempts to contravene, or fails to comply with, any provision of any rule made under this Act shall be punished, if a foreigner, with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both, or if not a foreigner, with fine which may extend to five hundred rupees.

Power to exempt from application of Act.

6. The Government may, by order, declare that any or all of the provisions of the rules made under this Act shall not apply, or shall apply only with such modifications or subject to such conditions as may be specified in the said order, to or in relation to any individual foreigner or any class or description of foreigner.

Protection to persons acting under this Act.

7. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

Application of other laws not barred.

8. The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.

Saving

9. Any rules made, anything done and any action taken in exercise of any power conferred by or under the Registration of Foreigners (Emergency) Act, 1939 (Act No. IX of 1939), shall be deemed to have been made, done or taken in exercise of powers conferred by or under this Act as if this Act had commenced on the 30th day of June 1939.

MIRZA M. ISMAIL,

Dewan.

Price 0-0-6.

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